IN THE COURT OF HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 2596 /2003

PETITIONER : Ghanshyam Kesharwani Son of Mr. S.N. Kesharwani, aged about 39 years, Posted at information Assistant in the department of Public-Relation Department, Raigarh, Resident of Madanpur, Tahsil Office Compound Kharsiya, District-Raigarh (C.G.)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, Through Its: Secretory, Jan Sampark (Public Relation) department, Mantralaya Dau Kalyan Singh Bhawan, Raipur (C.G.)

2. Commissioner, Jan Sampark Sanchanalaya of C.G. State, Raipur (C.G.)

3. Assistant Director, District Jan Sampark Karyalaya Raigarh (C.G.)

4. Collector, District Jaspur Nagar (C.G.)

P. R. No. 2365/03 Presented by Shri S.K. Pandey dated 16.06.03

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WRIT PETITION UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF WRIT/WRITS IN THE NATURE OF MANDAMUS AND/OR CERTIORARI AND/OR PROHIBITION AND/OR OTHER APPROPRIATE ORDER/ORDERS.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक WP 2596/2003 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	30-8-2003 Shri Suresh Pandey, counsel for the petitioner. Heard. The petitioner has preferred this petition under Article 226/227 of the Constitution of India by which he has challenged his transfer order dated 1st August 2003 by which he has been transferred from Raigarh to Jashpur Nagar. The petitioner is working as Information Assistant. The learned counsel for the petitioner submits that the wife of the petitioner is working at Kharsiya which is 42 kms. away from Raigarh and the petitioner has been transferred to Jashpur Nagar which is 240 kms. away from Raigarh and thereby the family members of the petitioner will be disturbed. Moreover, counsel further submits that the respondent No.2 has passed an order that if the petitioner will not join his duties on the transferred place by 25th August 2003 then the petitioner will be deemed to be suspended. Counsel further submits that the petitioner is suffering from viral infection and, therefore, the petitioner has not been able to join his duties and the respondents are not considering the illness of the petitioner. Having heard the learned counsel for the petitioner and having regard to the facts and circumstances of the case, the petitioner has not been able to establish that he has been transferred on any malafide or contrary to the rules, therefore, the transfer cannot be termed as malafide. Since the transfer has been effected on the administrative exigencies, therefore, the Court cannot interfere with the transfer order.,	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(63)

आदेश पत्रक WP-2596/03

मामला क्रमांक ..... **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	However, considering the illness and inconvenience of the petitioner, the petitioner is allowed to make representation within a period of 10 days and the respondent No.2 will look into the documents and medical certificate and pass an appropriate order within a period of 30 days from the date of receipt of the representation regarding the difficulties of the petitioner which has prevented him from joining the duties. The writ petition is disposed of accordingly. Consequently, M.(W.)P. No. 2386/2003 and I.A. No. 7893/2003 also stand disposed of. **Sd/-** **L.C. Bhadoo** **Judge**	

Barve